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### The Opinion Volume 23 Number 4 – October 26, 1982

The Opinion

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# Desmond Competition Inspires Aspiring Advocates

by Wendy Cohen

Dressed in their best suits, shoes shined, knees shaking, notes neatly written out on index cards, over a hundred students will participate in an annual rite of passage for second year students: the Desmond Moot Court Competition.

"This is a very well run competition, as well run as any in the country," declared Charles Desmond, former Chief Judge of the New York Court of Appeals for whom the Competition is named. Judge Desmond, UB Law School Class of 1920, will join Court of Appeals Judge Matthew Jasen, Appellate Division Judges Dolores Denman and Michael Dillon, and Dean Headrick as judges for the Competition's final round.

While Moot Court is open to both second and third year students, most competitors are juniors because membership on the Moot Court Board is not open to seniors. Third year students are eligible to go on to the finals, but Moot Court Board Director Molly Roach explained they are not considered for membership on the Board because "they'd only be in school for one more semester."

Moot Court Board members represent the school in competitions across the country. While third year students who participated previously are free to compete again, Molly remarked "I noticed maybe one team repeating — generally because it takes so much time."

Approximately 68 teams will be participating in this year's competition. Each team prepares a brief jointly, and then argues in front of local attorneys recruited as judges on three different nights. Each team argues "off-brief" at least once, largely, Molly noted, because it's traditional in moot court competitions to argue both sides of the problem. Four teams will be chosen on the basis of brief and oral argument scores for the semi-finals, and two teams will go onto the final round on Saturday, November 13. Students who have entered the Competition are now in the process of researching this year's problem, devised by the Moot Court Board. This year's problem revolves around a state prisoner who was sedated with drugs while in the prison's infirmary, allegedly in violation of the constitutional prohibition against cruel and unusual punishment.

"Last year, 120 people competed. It's great experience in brief writing and oral advocacy skills. It's good experience for anyone to stand up in front of people and present a case," said Molly, who reached the semi-finals last year. Last year's problem presented the question of whether a contract between a surrogate mother and an adopting couple was valid, and involved issues of family law and contracts.

Commenting on the quality of students he has seen in the finals, Judge Desmond said "The students do extremely well. Many do better jobs than lawyers in front of the Court of Appeals." He added "that might seem a sweeping statement, but it's true," and other judges at the Competition have reached the same conclusion. He noted, however, that students get valuable experience from the Competition "without being in the finals."

One thing that often worries students before oral arguments is questions — how many will the judges ask, how hard will they be? "A judge reads his briefs in advance, judging is his business. In a real appeal, he asks questions for

further elucidation, maybe he doesn't quite understand a point the lawyer is making," said Judge Desmond. In Moot Court, however, the questions are part of the training, designed to turn out competent and well prepared lawyers, said the judge, who teaches an appellate advocacy course in the spring semester at UB Law.

Local attorneys will serve as judges in most of the Competition's early rounds. "Last year, about 300 Buffalo lawyers came out and judged," said Molly, who explained that the Moot Court Board maintains a file of attorneys who have expressed interest in judging in the past.

Students seem to be looking forward to the Competition with mixed feelings. Second year student Joanne Leegrant, whose husband will be one of the judges, said "I'm definitely doing it for the fun of standing up there and seeing how easily I intimidate." Joanne, who noted that her husband won't be judging her, added "If I'm going to make a fool out of myself, I'd rather do it now than when I'm doing this for real." Commenting on the value of the experience, Barb Barton said "It's

good practice for trial work, an opportunity to prepare a brief and bring it in front of a number of people." Turning to the amount of time involved in preparing for the Competition, she added "I think you can take only four courses, though."

Also concerned over the question of the time the Competition takes up, Tom Bantle suggested that the Competition be held during the summer or between semesters "when people have more time," to adequately prepare. He continued, adding that while students certainly get research and advocacy experience from the Competition, "a lot depends on the feedback the student gets, the quality of the judging." And Tim Prosperi commented that the fact brief writing and oral arguments are part of the required first year program reflects the importance of improving research and advocacy skills. He added "I also think employers look on it favorably — Moot Court is a practical side of law school."

The Desmond Moot Court Competition is close to fifteen years old, estimates Professor Ken Joyce, faculty advisor to the Moot Court Board. When Professor

Cont. on p. 6

## Opinion

"The function of a free press is to comfort the afflicted and afflict the comfortable."

— H.L. Mencken

Vol. 23, No. 4

State University of New York at Buffalo School of Law

Tuesday, October 26, 1982

## Yankee Marcus Reflects On Law, The South & The 60s

by Kathleen O'Hara

"My daughter didn't take the lunch I made her today," Prof. Isabel Marcus remarked at the beginning of a recent *Opinion* interview. Her remark introduced one of the many roles she has assumed.

Marcus recently spent five years on the faculty of the University of Texas at Austin, where she taught in the School of Law and in the government department. In her spare time, she also taught several courses in the Lyndon B. Johnson

School of Public Affairs. As the following interview indicates, Prof. Marcus hasn't lost any of her energy or enthusiasm in her move to UB.

**Q: Why did you choose to come to UB?**

**A:** My reasons are several. The faculty here is doing work that I am interested in and is approaching it in a way that I find compatible with my training as a lawyer and social scientist. I think it is also important to live in different parts of the country. I spent fourteen years on the West Coast and five in

the South. And although I was born on the East Coast, I haven't lived here since I was twenty years old. It seemed time to come back and focus on part of the country that I had left in a fit of youthful rebellion.

**Q: How did you end up in Texas?**

**A:** I went to California in 1962 because I believed that the East Coast was antiquated and no longer a frontier. But after being in San Francisco for fourteen years I felt that one could become terribly parochial living in the Bay Area. Berkeley was a very comfortable community in which you could become self-righteous and act out all kinds of wonderful fantasies and wonder why the rest of the world didn't see or do things the way we did. That's all quite fine, but at some point you have to ask yourself - why isn't the rest of the world behaving this way? In order to test that out, I decided to try the Southwest and Texas as a frontier. A frontier is a mixed bag. There are different rules governing behavior, but I'm glad I went.

**Q: How were you received in Texas? As compared to here, is there much of a difference?**

**A:** The reception I had in Texas was more complicated. First of all, Texas is a very cohesive sort of regional culture. There's a real insider-outsider distinction there, and that affects the perception of newcomers. There are limits to what one can do. One can have an impact in Texas political life at a certain level, but if you don't have a birthright you are not an insider.



LABOR LAW PROFESSOR ISABEL MARCUS

That's not to say that I wanted to become an insider, but it became apparent to me that should I ever desire to become an insider, it wasn't an option that was open. Both living on the East Coast and living in California I never really experienced that.

The initial perception was that I was a Yankee and an outsider. That I had lived for fourteen years in San Francisco didn't matter. People would say, where are you from, and I would say San Francisco, and they'd say, "no, where're y'all really from?" What they were aiming at was confirmation that I was a Yankee. Now that doesn't mean that one is shunned. It does have an impact on what kinds of action one can undertake and with what kind of success.

Secondly, there is a strong feminist political community in Texas. There was some very interesting work that I could do as a feminist there. By and large, women in the South have learned to get their way by a certain amount of guile and deception. I

don't use that negatively. It's a strategy which is employed for women to get their way in a very macho culture. I think I was important to a number of female students in the law school because I stood for another way of doing things about which, I think, they had some ambivalent feelings. I think many of them were both intrigued but also skeptical that it might not produce results, even if providing one with a greater sense of honesty, rather than being a good ol' girl acting out behaviors which were understood to be inauthentic. So in that sense, there was a certain kind of acceptance coming from the women's community.

I think it is very clear that if you have a certain set of political beliefs in a place like Texas you are not, as we would say in the law, fungible. People who are politically more progressive, basically are small identifiable communities who need help and who need numbers. It's harder to come to

Cont. on p. 5

## Jim Newman Is Fondly Remembered

by Mike Reilly

I first got to meet Jim about four weeks into our first semester last year. It was at a mixer for the PAD fraternity in the first floor lounge. They had a keg of beer and it was a good opportunity to get to know some of the faces from class.

Jim was excited because he had just gotten approval to circulate his petition for a maritime law course to be taught at school. Jim had a very specific goal in coming to U.B.; he wanted to become a maritime lawyer.

When I mentioned about the general lack of shipping activity in Buffalo, Jim said that he would like to take some advanced courses at Tulane University and then practice where the maritime action

was — possibly New Orleans.

We discovered that we had more than a few things in common. We're both about the same age, Jim would have been 35 on November 18. We had both worked at the "U.B. South Campus" in 1970. (The U.B. South Campus was Bethlehem Steel's coke ovens, where we had both worked for the same foreman.) Although we had not met previously we found that we also knew many of the same people who were around Buffalo at that time.

For one reason or another Jim and I were the last two to leave the PAD mixer. I left feeling very pleased that I had met Jim and that

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## Editorial Speak For Yourself

In a letter to University President Steven B. Sample (reprinted in last Wednesday's *Spectrum*), SBA President Jill Paperno stated the SBA Board's position on the issue of a student-funded union. "The SBA believes," she said, "that other sources of funding should be considered before any decision concerning financing of a student union is reached." We agree; our Editorial Board also believes that Albany bureaucrats may benefit, and U/B students may be short-changed, by a hastily-negotiated agreement that assigns to students costs that the state should be bearing. We are especially concerned that this unprecedented appropriation of student money for a capital project will go for a building that may not even be started while we are students here.

Unfortunately, Paperno went on to say that the SBA "Board of Directors agreed that unless other sources of funding are examined, law students will not endorse any student union funding proposals." We emphasize the words "law students," because we feel that no officer of SBA, and not even the entire SBA Board, can commit "law students" on an issue as sensitive as student union funding. Although our editors agree with the opinion expressed by Paperno, we will not attribute our position to anyone other than ourselves. It would have been preferable if the letter to Sample had been representative of an opinion voiced by all of the students. As things stand, the views of law students who may disagree with the stated position (who may feel that expediting construction of a centralized facility is worth the cost to students and should not be delayed further by still more inquiries into alternative sources) may not be heard.

We believe that only law students can speak for law students, and we'd like to offer you the opportunity to do so. By participating in our "Opinion poll," you can, with a few snips of a scissors and strokes of a pen, express your view on this critical issue. The response will, we hope, be a more valuable barometer of law student sentiment, to Albany and the other student governments here, than any "official" SBA statement or Opinion editorial could be. Needless to say, however, your individual voice will mean all the more if it's part of a collective yell; therefore, encourage your friends and colleagues in the law student body to participate in this poll as well. We will tabulate and announce the results as soon after this Friday's deadline as possible.

LAW STUDENTS  
FACULTY & STAFF:  
YOU ARE INVITED TO  
THE 4th ANNUAL  
**HALLOWEEN GRAFFITI  
PARTY**

Wine!  
Cider!  
Munchies!  
Goodies!

AV Department  
5th Fl. Law Library  
Friday, Oct. 29  
3:30 - 5 PM

We supply the pens, You Supply the ideas!

## Letters to the Editor NYC Program Reaps Benefits

Your editorial (*Opinion*, Oct. 5) was a good one in that it captured many of the problems and frustrations facing law students looking for jobs in today's tight market. Although it made many fine points, there are a number of benefits of the NYC Program which were not mentioned. Also, we are concerned that the editorial may have discouraged some students from using the Placement Office who can benefit from its services. For these two reasons, we would like to add our thoughts.

The New York City Program was begun four years ago simply because legal employers in that area refused to interview on campus, a fact which naturally made our students rather unhappy. Although Buffalo had finally placed its first student directly into a large N.Y. City firm in 1977, the School was still not very well accepted. Firms, governmental agencies, corporations, and accounting firms were not giving our students the attention we thought they deserved. In addition, students were upset because of the general lack of knowledge about our School in the Big Apple and were annoyed at a question consistently being asked at interviews there: "Why would you ever go to

Buffalo when we have so many better law schools in the City?" When not one of our second-year students received a job offer from a major New York City firm for the summer of 1979, we decided to try the New York City Program. It was begun as an experiment, to be scrapped if it did not prove to be productive.

The results may not have been earth-shattering, but they certainly have been positive and, we believe, make it worth continuing. Over twenty-five large and medium-sized law firms have met Buffalo students for the first time through the Program. Because we require firms to stay for at least half a day, they must see a minimum of nine students; many stay a full day and see up to twenty. Others send more than one interviewer to meet even more.

In addition to law firms, the Program has attracted government offices (New York City Corporation Counsel, the NYC Dept. of Investigation, NYS Attorney General's Office, SEC, Nassau Co. D.A., Manhattan D.A., and the U.S. Attorney's Office), corporations (Morgan Guaranty Trust, A.T. & T., Metropolitan Life Insurance Co., and Manufacturers-Hanover Trust), public interest

organizations (Legal Aid Society, Civil and Criminal Divisions), and most Big Eight accounting firms. Although not each of these employers comes every year, most come when they are hiring. Not one of them had previously come on campus to meet our students.

This year, 78 third-year students and 45 second-year students had over 450 interviews granted. (There is always an imbalance between the classes, since many employers do not have summer programs and therefore see only third-year students). Some students had only one or two interviews, and some had several, but each of these 123 students had at least one opportunity they probably would not have had without the NY Program. The effect goes much deeper than the "top 10 percent." Since less than half of each class has a desire to go to New York City, at least one-half of the interested third-year, and one-third of the interested second-year students got interviews.

It is very difficult for us to tell exactly how many job offers result

Cont. on p. 3

## Harrassment of Victim Deplored

We think that it's important at this juncture to state that this letter grew out of conversations we had with the female student involved (who will be known hereafter as "Joanne"), and is an attempt on our part to clarify recent events. We feel it is also crucial to bring to light a variety of issues that so many students at this law school ignore in the search for the "rule of law" and the provision of a vigorous defense.

Recent events at this law school have necessitated another look at our roles as attorneys and the relationships we have with others in, as well as outside, the profession.

Last week Joanne was assaulted by another law student, male, in front of the Library. Rumor has it that the assault was provoked when Joanne spit in the other student's face. Since most of us were not there at the time, we can only speculate as to who did what first.

What is of greater importance is the impetus for this altercation.

The facts as told to us are as follows: Several weeks ago, Joanne was sexually assaulted by three men. The *Buffalo Evening News* of September 27, 1982, reported that Mark Humphrey (an MBA student at UB), Angelo Constantino (a medical student at UB), and Steve Whelan were

arrested in connection with this incident. A student at this law school, who is not personally acquainted with Joanne, is purported to be a friend of one of the alleged attackers. Presumably as a service to his friend, he provided one of the defense attorneys with information about Joanne, including names and numbers of her friends. This information was given to a private investigator hired by the defense attorney.

Joanne was told who was giving this information out and apparently encountered this student in the mail room. Presumably (and

Cont. on p. 6

## Opinion Poll

Student No. \_\_\_\_\_

### ALL LAW STUDENTS ARE INVITED TO PARTICIPATE

- 1) In your opinion, is additional centralized student union space needed on the Amherst campus?  
☐ Yes  
☐ No  
☐ Undecided
- 2) If a new, centralized student union were to be approved, which of the following concerns would be more important to you?  
☐ Completing the facility in the shortest possible time  
☐ Completing the facility at the lowest possible cost to students  
☐ Undecided
- 3) Should the university's student governments sponsor a referendum to resolve the student union question?  
☐ Yes — immediately  
☐ Yes — but not necessarily immediately  
☐ No  
☐ Undecided
- 4) If such a referendum were held tomorrow, and the proposal called for increases in student fees, how would you vote?  
☐ Yes  
☐ Yes, if the proposed increase did not exceed \$ \_\_\_\_\_ per semester  
☐ No  
☐ Undecided

### TO PARTICIPATE

Please give your response to all four questions; note especially all optional replies to question (4). Each currently registered LAW student may submit one response; to protect the integrity of the survey, we ask that you write your student number in the upper right hand corner of the ballot. (It will be removed before your vote is recorded.) Submit your response to the box provided in the mailroom; the deadline for entries is Friday, October 29.



## Women Deride Sexism In Job Interviews

by Association of  
Women Law Students

Job interviewers who ask questions that are not job-related, and which have an adverse impact on women or minorities are violating Title VII, and thus may be guilty of discrimination. Certain law students have endured such prohibited questions or sexist remarks by interviewers. In response to complaints from affected students (both female and male) the Association of Women Law Students (AWLS) has initiated an education campaign directed towards students and employers. The goals of the program are: 1. to inform students of their rights; 2. to notify employers of prohibited behavior; and 3. to identify employers who continue to ask prohibited questions.

### I. Informing Students

The following areas of prohibited questions are taken from the August 1982 issue of *Communicating EO/AA Goals*, which is posted on the 309 Board. Save a copy of this list, and you will not have to fight your way through the crowd to read the newsletter.

Prohibited sexist questions include questions about:

- \* Marital status or plans

- \* Number of or existence of children, and/or childcare arrangements
- \* Use of birth control methods, or current or planned pregnancy
- \* Any questions relating to the applicant's sex

Of course, the following discriminatory questions are also prohibited:

- \* Questions relating to race, color or ethnicity
- \* Questions about national origins
- \* Questions about native language
- \* Questions about age, except to determine if you meet the minimum working age requirement
- \* Questions about your status as a property holder
- \* Questions about your discharge from armed services

### II. Informing Employers

AWLS has prepared a letter to send to all employers alerting them to our concern. AWLS hopes that employers are aware of the restrictions on them; our letter should encourage them to stress such restrictions in preparing their interviews.

## Commentary: The Scapegoat

by John Iacovelli



### III. Additional Pressure

AWLS has designed a short questionnaire about sexist interviewing practices. The one-page questionnaire is available in the Placement Office. If you have been subjected to sexist questioning or other treatment in an interview, please complete the form, identifying the employer, interviewer and describing the event(s). Employers whose interviewers are repeated offenders will be contacted again. By identifying the issues, AWLS hopes to begin to eliminate the problem.

## Placement Offers Assistance...

Cont. from p. 2

because both employers and students could be better at returning our feedback questionnaires. Last year, about two-thirds of the firms replied. From those that did, we learned that 25 offers were made. (We think there were additional ones made by the 11 firms that did not respond, but aren't sure). In all, approximately 20 individuals received those offers. At least 16 accepted and therefore got their jobs directly through the NYC Program. Seven other third-students received offers from firms they had met a year earlier, with five accepting, for a total of 21 employed. Some of these positions were with employers who had not hired Buffalo people before the NYC Program had introduced them to our School, and many were governmental and public interest agencies which look more closely at practical skills and commitment than grades. Since a number of these students received no other offers, they are very supportive of the Program.

The NYC Program has had many other positive results. Each spring we send over 2,000 letters to firms, corporations, government agencies, and public interest agencies across the country encouraging them to consider our students. In those letters we refer by name to the participants in the NYC Program, since so many of them are known nationally. We have had a very positive response and attracted new firms to our campus as a result. In addition, the NYC Corporation Counsel's and Manhattan D.A.'s Offices, which first met our students in the Program, now conduct their interviews on campus.

Our alumni in New York City are delighted with the Program and enthusiastically encourage us to continue mailings to their area which refer to the Program and list past participants. Alumni feel it

has greatly increased the Law School's prestige especially among attorneys who hire on a regular basis and/or are knowledgeable about law schools. Questions derogatory to UB have virtually disappeared.

The second part of the editorial which concerned us was the advice that for students who want small firms, small cities, or public interest law "a reliance in placement would most surely be misplaced, for the hiring opportunities within those areas of the law are as unpredictable and uncertain as our economy." We certainly agree with the difficulty involved and the energy required, but feel our office can be helpful to almost all students.

Students who have the firms coming to them need our assistance mainly with resume preparation and development of interview skills. The majority of the class will be involved in a more difficult search and therefore needs our assistance to a much greater extent. They, too, can benefit from our interviewing programs and resume workshops, but should take advantage of our other services. They should read the Newsletter which we regularly publish, the periodicals to which we subscribe, the books in the Placement Library, the bibliography of numerous reference and informational publications available as aids, the Handbook developed this year (especially p. 10-25), the Job Book and Job Board, and the various lists and handouts produced each year. Attendance at career days, general information programs, and participation in the One-to-One program is also very important. As graduates they can continue to take advantage of our services by receiving our monthly "Employment Bulletin" of job listings, and by contacting us personally.

It is extremely important that all students come to see us. We have

worked closely with many over the past few years, and have acquired a number of useful tips on job hunting, as well as a good idea of what approaches work best in various situations. We can help spot strengths and weaknesses and can assist in using the former most effectively while minimizing the latter. In short, we can help a student direct his "creative hustle" where it will be most productive. Finally, we are aware of the frustrations of the job search, the pain of rejection, and the fear of unemployment, as well as the negative impact of all three. We can be the friend that listens patiently and then gives the push needed to get rolling again. It does not take much effort or time to see us and it might be very beneficial.

Alan S. Carrel,  
Associate Dean for External Affairs  
Audrey Koscielniak,  
Assistant Director of Placement

All students are invited to interview to become members of the American Bar Association committee here at UB. Interviews will be conducted on Thursday and Friday, Oct. 28 and 29; a sign-up sheet will be posted outside the door to the SBA office.

The committee will meet twice monthly, and will conduct a membership campaign and implement ABA-funded projects and events such as legal workshops, speakers and parties. Contact Rob Turkewitz, Box 16, for more information.

Gay Law Students Organization  
welcomes those interested  
to its first meeting  
7:30 p.m. Thursday, Oct. 28  
Room 207, Talbert Hall.  
For more information, call  
636-3063  
or stop by Room 207 Talbert  
any weekday afternoon.

Television news shows and newspapers have one major goal: increased viewers/readers which leads to increased advertising revenues. The news we receive is intended not to inform but to entertain. Certain types of stories have been found to be very popular and therefore we see a lot of these stories. T.V. gives us fires, car crashes, murders, and puppy dogs. Newspapers give us crime and gossip. In the last ten years, a new type of story has been discovered that is extremely popular and makes good copy. These are stories that attack the President of the United States.

This new trend started during the Watergate years. Nixon was ripped to shreds by the media and was forced to resign. America loved it! But this did not satisfy our appetite for presidential humiliation. Gerald Ford was ridiculed unmercifully. We reveled in front page photos of Ford falling or bumping his head. We laughed at his Whip Inflation Now campaign and even though it was very successful we voted him out, making him the first incumbent president to lose an election in 44 years. Jimmy Carter faced more of the same. Carter's brother was used to embarrass him and Carter was labeled "inept" and "incompetent" by the media. He was also voted out after only one term. It appears that the President of the United States is playing the role of the national scapegoat.

In ancient times, people used to blame Apollo or Athena for their economic hardship. In the 1940's and 50's we blamed the communists. Now we blame the President. The media recognizes that attacking the President has become our national pastime so they help us by giving us new material whenever they can. The more material they give us, the more we ridicule; thus we have the vicious circle.

The media has continued this practice regarding Ronald Reagan. Much has been said about Reagan's semantic errors during his campaign. These errors always made the front page. Reagan's catsup comments kept us laughing for months. Newspapers printed photos of Reagan yawning in front of the Pope on the front page. His children are used against him unfairly. His sleeping habits are ridiculed. His speeches and press conferences are always attacked. Most recently, the media proclaimed "Reagan loses his Cool" because he told a heckler to "shut-up," a practice that New York Mayor Ed Koch is popular for. Reagan's image is so tarnished that when he offered to come to New York to campaign for Lew Lehrman, Lehrman said "thanks, but no thanks."

This phenomenon has severely hampered the President's ability to deal effectively with the nation's problems. Reagan won a landslide victory in 1980 and yet only two years later his popularity is so low that he cannot get most of his programs through Congress. If this trend continues, each future President will serve only one term and the Executive Branch will never be controlled by the same party for more than four years. This instability would be disastrous to our attempts at creating intelligent economic and foreign policies.

What can be done about this? We must realize that we are being bombarded with anti-Reaganism from the media which for the most part has nothing at all to do with his performance as President. We all must decide whether our opinion of the man is based on a rational evaluation of his performance or on our need to blame someone beside ourselves for our problems.

## Guild Gossip Desegregation Forum, Other Events Planned

The National Lawyers Guild-Buffalo Chapter is sponsoring a number of activities this semester.

### 1. DESEGREGATING BUFFALO: THE PUBLIC SCHOOL SYSTEM COMMUNITY AND LEGAL PERSPECTIVES

Speakers: Dan Acker, Pres. of NAACP-Buffalo  
Norm Goldfarb, Co-Chair of the Citizens Council on Human Relations  
Richard Griffin, former lead attorney for desegregation suit, past pres. Erie County Bar Assn., currently Chair of Public Interest Law Committee  
NOVEMBER 4, 7:30 p.m., ROOM 112, O'Brian Hall, co-sponsored by HANALSO and Balsa

2. We are organizing carpools, and may be renting a van to go to the National Executive Board Conference of the National Lawyers Guild in New York City, Nov. 11-14. The Conference will include such workshops focusing on law student organizing as well as a variety of presentations. If you are interested, leave a note in mailbox 568.

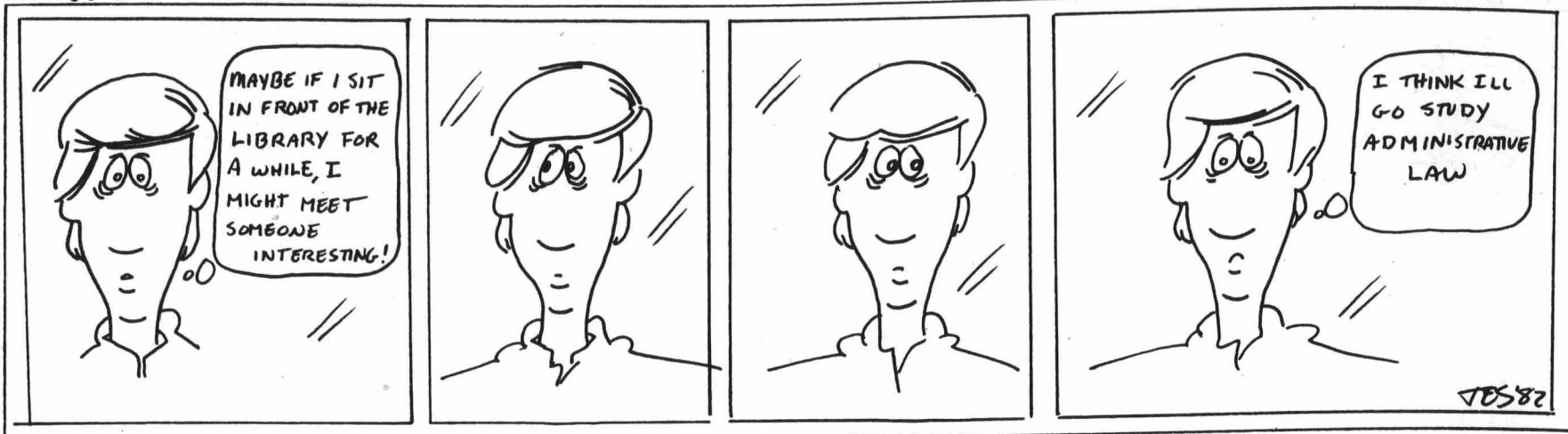
3. There is a discussion group forming to discuss issues concerning the LAWYER AND SOCIAL CHANGE, which will be conducted by one of the attorneys on our steering committee. First meeting will be in early December. Leave a note in mailbox 568 if interested.

4. The Coalition for Abortion Rights and Against Sterilization Abuse in conjunction with the National Lawyers Guild will be presenting two films and a speaker on current issues regarding reproductive rights on November 16. Time and place will be announced.

ANY QUESTIONS CONCERNING THE GUILD? ANY ANSWERS? Leave a message in box 568 or stop by our office. Our office is room 118 (opposite the PURPLE PIT — room 112) on Tuesdays between 10 a.m. and 11:30 a.m. or Fridays 9:30 a.m. to 11 a.m.



J.D.



## "Policy Studies" The Insurance Man

by Mark Frankel

Many of the most successful life insurance salespeople in the country are lawyers. Few of the most successful life insurance salespeople in the country are law students, (however, rumor has it that at least one U.B. law student earns over fifty grand yearly!). I tried it for eight months and made a comfortable living thank you, but have returned to the school fold not having suffered too much for the wear.

### Getting the Job

Insurance companies are looking for aggressive money hungry people to sell policies. Race, sex, creed, and education are unimportant to the employer because his earnings are based absolutely on his agents' sales. Law students enjoy an advantage in getting hired because, 1) we have an educational background that implies authority and knowledge, 2) we are considered hard workers, and most importantly, 3) our profession has a reputation for untempered greed.

### Getting the Job Done

My particular employer paid a guaranteed salary and the first month of work involved no more than attending the various training programs required for licenses to sell in New York State. The real thing involved calling people on the phone to make appointments, and then selling policies in the home. The selling wasn't too hard because the 'leads' were drawn from lists of present policyholders whose accounts I was responsible for. Furthermore, most people are unaware, prior to the agent's visit, that they have sufficient interest and cash accumulated in their policies to finance more coverage. Everyone was happy. Policyholders got more for their money, the rookie salesman was surpassing his quota, and the sales manager thought he'd struck gold.

After four months the leads were starting to run dry and my sales record was declining. When I refused to call on my friends and fellow students to solicit business, my manager asked me to quit. It is obvious that one does not quit a job when one is guaranteed an income regardless of one's performance. Were this a perfect world, I could have continued working and drawing pay without selling much at all. Paranoia started though, when it became clear that many routine practices of life insurance salesmen might not seem entirely ethical to a bar entrance character and fitness committee, (i.e. signature requirements and the like).

### Quitting Job

Quitting can be the most rewarding and satisfying part of any job. For reasons undoubtedly related to the payment of unemployment compensation, life insurance companies don't fire people — they chase their employees out. I struck a deal in early July, promising to resign in early September in exchange for a summer free of harassment and sales calls.

My present law clerk job pays squat but offers interesting work. Several of my co-workers say my supervising attorney is hard to work with. I hadn't noticed. Maybe working at a life insurance company has given new meaning to the words, hard to work with.

## Hilton Discovers Secrets To Life

Two editions ago, the *Opinion* ran a contest rewarding a night at the Buffalo Philharmonic to whom ever could find the three secrets to life between the law school and Norton Hall. Signs posted last week at several locations in the law school gave a clue that "the secrets relate to the hole man."

The first person to submit a correct answer was Andy Hilton, a second year student. The "hole man" clue led the ever-perceptive Mr. Hilton to the "man-hole" covers between the law school

and Norton, each of which is inscribed with one of the three one-word secrets to life. His answer, in edited form, was as follows:

*If I win this... I will feel very fortunate that other "brilliant" law students procrastinate to a greater extent than myself. I do feel that I am somewhat deserving, having spent much valuable study time deliberating on the existences and enigmas associated with living. How ironic, then, that the answers,*

*the secrets to life, pertain to the sewer... or more specifically, manholes. Those manholes, underfoot when going for a delicious meal at Norton, remind us of those noted virtues of man's destiny: Power, Communications, and Sanitary!!!*

Yes indeed, the three secrets to life are to be powerful, to have good communications, and to be sanitary. Congratulations to Andy and all other entrants.

## FILM REVIEWS



by John Stegmayer

### LOOKING TO GET OUT

After their Oscar winning efforts in "Coming Home," one had to look forward to any collaboration between Jon Voight and Hal Ashby with high hopes. "Looking to Get Out," unfortunately, does not live up to its promise. The film follows a sorry pair of down on their luck gamblers as they attempt to get a sorrier pair of New York thugs off their backs with a big score in Las Vegas. Ashby has reportedly spent a lot of time in the editing room with this film but he had little chance of salvaging a generally ill-conceived plot or hiding inferior performances. Voight is totally unlikable in his role and although Burt Young tries hard to be adorable as his sidekick,

I kept hoping for Ratso Rizzo to show up and save the movie (he doesn't). Ann-Margaret is an attractive prop but little more.

The characters in "Looking to Get Out" are totally unsympathetic and unconvincing. The irregularly paced plot is not helped by a confusing ending which resolves nothing.

GRADE D+

### MY FAVORITE YEAR

"My Favorite Year," a comedy, may be this year's answer to "Arthur," but with a more creative script and superior performances. The film, set in 1954, has an almost stylized authenticity as it captures the spirit of that era. It focuses on a television variety show and the attempt by that show's youngest writer to keep the guest star sober and otherwise under control.

Mark Linn-Baker plays the young comedy writer assigned to babysit the guest star, Alan Swann, a matinee idol of Erroll Flynn-esque stature.

Peter O'Toole has followed up his brilliant performance in "The Stunt Man" with a fine comedic effort and possibly another Oscar nomination as Alan Swann. The movie is all O'Toole's and he captures the audience the way his character captures everyone in the film; pulling off successfully what could have been an impossible role in another actor's hands. O'Toole and a good supporting cast make this a very enjoyable film, one which should draw well as last summer's hits start to wane at the box office.

GRADE: Q+

## New Waves Blotto And The Blues In Buffalo

by Jud Weiksnar

There have been bigger crowds at the Continental, but there may never have been a more lively one than the crew that turned out to see Blotto. Blotto did not let them down, playing two sets of tongue-in-cheek rock and roll, saving their radio hit "I Want To Be A Lifeguard" for the encore.

Blotto puts to music those thoughts that most of us have had but would never think of singing about: "You only want me 'cause I already have a girlfriend"; "Let's eat"; "Who's programming elevator music for the rock generation?"; and, "It's not you, it's your family I can't stand." Blotto added a touch of theatrics to their music, spoofing a typical heavy metal band and the New Tones, "the band that you've seen at the

Holiday Inn."

There's a freshness and wittiness to Blotto's lyrics reminiscent of the early days of Devo or the Talking Heads. They've just put out an album, "Combo Akimbo," and show no signs yet of taking themselves too seriously, a fate of many bands of their genre.

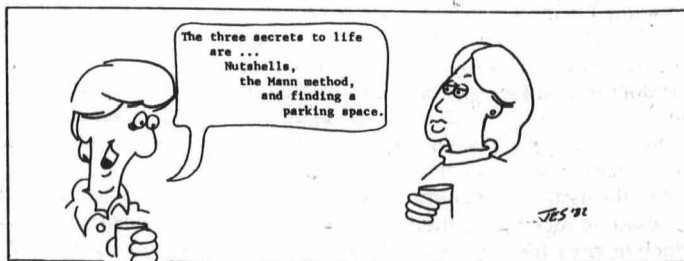
The Fans are a local band that's recently popped up on the club scene. They have a straightforward, New Wave style that's both listenable and danceable. The tunes have catchy titles, like "Meet Clark Kent" and "Diet Pepsi," but the band has trouble sustaining the vitality of the opening line throughout the whole song. With a little more polish, the Fans could help fill the void left by the departure of local favorites Pauline & the Perils and 10,000 Maniacs. While still playing on their own, the Perils without Pauline are like The Wizard of Oz without Dorothy: a great supporting cast, but nobody bopping down the yellow brick road in front of them. Perils Russ Steinberg and Jeff Helmick, along with the rest of the Jetsons, will perform their instrumental surf rock as the opening act for the Stray

Cats when they come to U.B. in November.

10,000 Maniacs are heading South for the winter. They've received a good recording offer down in Atlanta, but will return to Western New York when they're done. If you haven't seen the Maniacs, you might get one last chance before they leave. They're trying to work out a deal to play at one of the campus Halloween parties, so keep your eyes open.

Until last Tuesday, I thought you had to go to the Continental to see truly spirited dancing in Buffalo. Then, of course, until last Tuesday, I'd never seen Chicago bluesman Son Seals. Seals and his band proved that the blues aren't just for listening as he got an enthusiastic crowd at the Tralfamadore to dance their socks off for the better part of three sets and an encore.

The new Tralf is doing a great job of bringing exceptional national acts to town and staying in range of a student's budget. While the closing of the old Tralf, with its cozy, "hip" atmosphere, was like losing a friend, the new Tralf is establishing its own identity. And it's got one thing the old Tralf didn't have — room to dance.





# Marcus Returns East

Cont. from p. 1

terms with leaving a place like that for your political and social reasons. I think it is very different here. I would not have the sense of being an outsider in Buffalo even if I don't come from a traditional or conservative community.

**Q: Why do you teach family and labor law?**

**A:** It's a very simple sociological proposition that work and family are the two basic elements of any social structure. These are sort of the basic building blocks of any society, so I might as well study them. I will leave it to other people to deal with the more heady and cerebral topics.

**Q: You have a Ph.D. in political science. Have you done any teaching in that field?**

**A:** I taught in the political science department at U.C. Davis while I was in law school. And half of my time in Texas was spent in the government department. Now, I loved that because whenever I got bored with the law school, I just walked down the road to the government department.

**Q: From which institutions have you received your degrees?**

**A:** I have a bachelors degree from Barnard, which was a wonderful educational experience. I was at Barnard from 1956 to 1960 - the years when women who understood that they were intelligent lived in great fear that if they permitted themselves to be intelligent they would be punished socially. Barnard was a splendid experience because it was assumed that we would go on to graduate school and do things. In the fifties, for those of us who were troubled by the mixed messages that society was giving us, it was a heady experience to be in a women's college that was committed to a first-rate educational experience for women.

Since I had been to Africa between the time I was an undergraduate and before starting graduate school, I was encouraged to be in the African Studies field of the political science department at Berkeley. So I have a masters degree in African Studies. But like many other students who in the sixties were encouraged to study other countries, we were living in a community that was going up in

flames. There was kind of a hypocrisy to tell about what the Muslim Brotherhood was doing in Senegal when the National Guard was on the streets of Berkeley. Like many people, I moved from area studies to American politics and public policy. I received a doctorate in political science with an emphasis on policy studies and American government while I was in law school.

I went to law school for a very simple reason. I had become involved with a group of women who were filing a lawsuit against the University of California for sex discrimination. I became intrigued by what I considered to be the backwards way in which legal reasoning was conducted.

**Q: So you went to Berkeley?**

**A:** I have had all of my education since Barnard at the University of California. I'm sure that if I had moved around more I might have different ways of looking at things. A lot of my perceptions solidified by spending a good many years in a community where people really tried to create an alternative culture. I think that those of us who lived in the Bay area in the sixties were altered permanently by that experience. It was a golden age. I never thought I would find myself thinking that I had experienced a portion of my life in such an environment that nothing could ever come close to, comparatively.

**Q: Are you doing any work with the Policy students?**

**A:** I have applied to become a member of the graduate faculty so that I can supervise doctoral dissertations. My sense is that policy studies is very fragmented here at this point, being located in different schools.

One thing that I have particularly strong feelings about is the fact that, as a law professor, I often have access or a sense of what types of issues are going to become important in certain areas of law prior to their actually emerging. There's a particular agenda that I have in doing policy studies, that is, trying to figure out things for students which might give them some marketability because the specific thing they would be doing is something that somebody could use, practically speaking. This is particularly true in the women's rights area, but I think

that one could do some interesting stuff in labor law in terms of plant closings, or in pension regulation.

**Q: Do you have plans for teaching other courses in the future?**

**A:** I would like to do a course on pensions and deal with the regulatory aspects of it, if I could find a tax person to do the tax aspects. The Social Security course should probably be expanded to include unemployment compensation, and maybe worker's compensation.

I have a fantasy that some day I will teach civil procedure, but I'll have to think about that. I've never taught first year students. I like administrative law and remedies as well, but as long as they are covered, I feel less compulsion to offer my services.

**Q: You have also said that you do work for the National Labor Relations Board.**

**A:** Yes, I am an arbitrator. Since I've just moved here it is going to take some time before I'm put on the list of arbitrators. It's very interesting work, and of course, it puts me in a position which I think a lot of law professors would like to be in, which is to play judge. It's truly hard work if you are really conscious and aware of what your own biases might be, or ways in which you may be reading too much or too little into a situation. I'm not much fun to be around when I am writing a decision because I keep reversing over and over again.

**Q: What are the purposes and goals of critical legal studies?**

**A:** We, certain people in the

faculty, sit around and talk about this. It seems to me that it is not a rigorous methodology, but it is an effort to blend the work of both Marxist thinkers and people in the Left tradition, both Marxist and non-Marxist. It is as well a very provocative blend of European post-structuralist thought. It tries to undermine the liberal paradigm of the rule of law. It attempts to show that the liberal view of politics and power relationships is used to mask and justify, as well as apologize for, injustices that occur in a society. Lawyers are trained to accept the rule of law as a kind of given. You basically attack the heart of legal teaching. If instead of saying, "This opinion does not comport with the rule of law," you say, "Let's see what's really going on in this situation," you can generate a great deal of hostile criticism. There is some truth to the criticism that things are not done rigorously, that there is no methodology.

There is no doubt that the legal establishment is not terribly interested in this type of analysis. The real problem is, what pressures are there? How does a law school, in which there are people committed to doing this, deal with the pressures that come from the bar to train people to be lawyers? Training people to be lawyers may not mean training people to be critical legal thinkers. I think it's a real problem for students. It parallels what happened to the legal realists in the thirties. They spent a lot of time unmasking aspects of particularly judicial behavior. The question then is, having done that, how do you act as a lawyer in that

situation with that knowledge? Do you end up with some sort of basic personality split if you practice law, or can you only practice at the fringe where there are kindred spirits who will be trying to accomplish the same thing? Those people are unlikely to be in key positions in either the bench or the bar in any sizeable numbers.

It seems to me that you can trace critical legal studies to a whole generation, particularly to those who are now approaching middle age, as I am. Those who were exposed to critical ways of looking at the world in the sixties could not make the law as immune from that kind of scrutiny. The task is a difficult one, when you try to conduct the analysis. There is no significant precedent for it, and I think the discipline does not take kindly to it.

At its best, critical legal studies does something that I think is intellectually exciting. It is not focused nor is it rigorous, but that is what is one of the most exciting things about intellectual inquiry before it becomes rigidified and doctrinaire. Rigid Marxism is no better than the conventional liberal paradigmatic way of thinking — they both suffer from intolerance.

So that is what I understand to be going on, but I wonder how the students feel about being exposed to this.



## The Proven Favorite in New York State

(ride the bus with  
Sheldon Fuss)

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## New Library Services

The Law Library is pleased to offer a series of advanced legal research classes to 2nd and 3rd year students. The classes will run consecutive Thursdays from October 28 through November 18, from 1-2 p.m. in the Looseleaf Room of the Library. The sessions will involve detailed instruction in international and foreign law, federal legislative history, and state legislative history. The 4th subject to be held on Thursday, November 18, has not been confirmed yet. Suggestions are welcomed.

Interested students are asked to sign up at the Reference Desk prior to the scheduled session. It is hoped that these sessions will give 2nd and 3rd year students an opportunity to increase their research skills in these vital and specialized areas.

The Law Library has also recently added NEXIS, a database available through the Mead Data Corporation which provides LEXIS to the Library. Through utilizing the LEXIS terminal, the librarians can do full-text searching of selected newspapers, magazines and wire services. The database is best used to search out specific information, items of a very current or unique area.

All NEXIS searches will be performed by the Law Librarians. The NEXIS database is not covered by the educational contract which gives the Library unlimited use of LEXIS, and users will have to pay the commercial rate of \$2/minute. Searches can be economically done by using unique words, names or concepts, and by narrowing the file in which a search is performed. Also, cost should be compared to the time saved in performing the research.

The Librarians have been given special training in the NEXIS database and will screen any request to eliminate any that might be inappropriate or financially unfeasible.



# Newman Remembered...

Cont. from p. 1

we would be in school together for the next three years.

Jim was born to Paul and Helen Newman on November 18, 1947 in Olean, New York. He was the youngest of three children, Ann, Tom and Jim. He attended the Minor Seminary and later transferred to Bishop Walsh where he finished high school.

It almost seems as if he wanted to follow in his brother Tom's footsteps, as Tom was ordained a Franciscan Brother in 1967. Even though Tom achieved his goal, it was to be shortlived, as he died of kidney failure in 1968 at the age of 22.

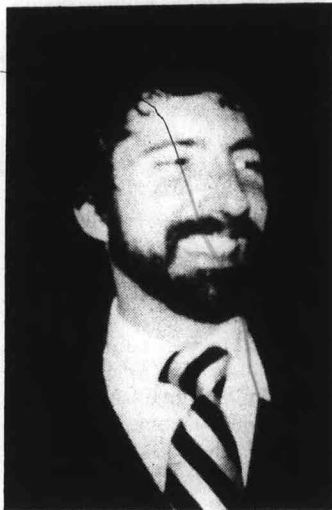
After high school Jim attended Bonaventure University which is a local Catholic University with a national reputation for its sports and teaching. It was during this time that Jim became concerned with the issues that were creating controversy all over America, namely the Civil Rights and the Anti-war Movements. Because of Jim's strong religious convictions it became harder to swallow the actions that our government was

taking at home and abroad.

In the summer of 1969 Jim transferred to U.B. to finish his undergraduate work, with a B.A. in psychology. During this period Jim was an active participant in the student movement. But he also developed a keen interest in labor issues confronting workers in local plants.

During the next period Jim traveled and supported himself by working at a variety of jobs. He worked as a carpenter, insurance salesman, and teacher; he drove a taxi in both Buffalo and New York City, and worked at Nuclear Fuel Services in West Valley.

Jim traveled across the United States, to most of the European countries and saw a considerable part of Asia — India, Pakistan, Nepal. We got to talking about the terrific beauty of the high mountains one time and I asked Jim if he had ever seen Everest. As it turned out, Jim had done the walk from Katmandu to the base of Everest. This is quite a walk as it is approximately 90 miles one way! Jim had hiked up to the first base



JAMES NEWMAN  
1947-1982

camp which is at about the 17,000 foot elevation.

The only form of freight transportation on this road is by "yak." Jim's comment was that it was hell dodging all of these smelly animals with the big horns.

Jim and Jeanette were married on November 18, 1978 and their daughter Clare, was born on March 24, 1980. And as most of you know, Jim started Law school in August of 1981.

Although Jim was not the most typical student, he was an active participant in our classes in section 1. He had the ability to make a critical analysis of the premises behind the law and its processes. Whether or not one agreed with Jim's principles, I think that most people appreciated him as an articulate spokesperson for those ideals.

I think that there was one legal talent which Jim demonstrated most effectively and that was the ability to spontaneously respond to a difficult question. I remember that Jim had been absent during the first week and a half of a particular course during our first year. He had just gotten back from Olean and didn't even have the textbook for the course yet. Jim sat in the back row but as it turned out the professor zeroed in on him with the first series of questions for the class. I thought to myself that Newman would finally have to pass on a question. But as the question revolved around a landlord-tenant issue, and as Jim had been a tenant and had experience with landlords, he proceeded to answer the question as if he studied the material the night before.

During his first year Jim joined the International Law Society and in his characteristic way volunteered to coordinate the Jessup Competition. This is a moot court competition which is based on questions of international law. Last year it was the U.B. chapter's turn to host the regional competition.

Jim played a major part in organizing this event and in making it the success that it was. During one of the rounds Jim confided to me and another student his reasons for wanting to become a lawyer; "I'm not handy." He simply meant that he didn't have the mechanical ability to make a living with his hands.

At the end of last year Jim was elected president of the International Law Society and looked

forward to the role he would be able to play during the next year. (Although there was some concern that he would actually set up house in the ILS office!)

Jim had gone to New York to visit his wife and daughter during the Yom Kippur long weekend. On Sunday, September 26, he had a heart attack while walking in Manhattan.

On Friday October 1, Jim was buried in his native Olean.

One thing that was not well known about Jim was that he was also pursuing a doctorate in English and that he had completed a substantial amount of the course work toward this goal.

Finally, don't be surprised if you run into a lawyer by the name of Newman practicing public interest law. Jeanette Newman is currently a second year student at Brooklyn Law School.

On Wednesday, October 27 and Thursday October 28, there will be a table set up in front of the library on the second floor from 9:30 a.m. to 1:30 p.m. A collection will be taken up and the proceeds will go to Jim's daughter Clare. Students and friends are also invited to sign a memorial card which will go to his wife and parents.



## Aspiring Advocates Prepare For Desmond Competition

Cont. from p. 1

Joyce began teaching at the law school in 1964. Moot Court was a mandatory requirement for freshmen, similar to the informal arguments held in spring Research and Writing classes for first year students now. Professors Joyce and Atleson handled the program, rounding up judges from the faculty and the community. The Moot Court program became voluntary and open to all students in the mid-1960's. "Second year students were desirous of having a program for them, so they could take advantage of national Moot Court Competitions," Professor Joyce explained.

First year students were allowed to enter the Competition until 1980, which helped to build up and maintain an autonomous and continuous student board, Mr. Joyce noted. However, freshman were barred from competing after 1980 because the faculty felt it was interfering with their studies. Molly Roach stated that the Board opposed the rule change at the time, but reflecting on the issue now she pointed out that the number of second year students competing has increased considerably, and that perhaps the quality of the Competition has improved to some extent. "However, for more than 50 percent of its existence, the Desmond was a freshman and junior competition, and often the freshman won," Joyce remarked.

Discussing the positive impact of the Competition, Prof. Joyce remarked that it involves alumni with the school, and strengthens ties to the local legal community. The Alumni Association helps defray some of the costs involved with the Competition and will also sponsor the awards dinner to be held at the end of the Competition at the Plaza Suite, located on top

of the M&T building overlooking the harbor. Joyce stressed that alumni involvement with the Competition adds continuity to the program, and the social event at the end of the Competition "leaves everyone with a good feeling." (Asked whether the free dinner is includable as income under the Internal Revenue Code's definition, the tax professor replied: "I'll leave that to your own individual analyses.") Finally, Joyce concluded that the Competition also serves to involve area attorneys with the school, "busy lawyers don't usually get to engage in this kind of event. It gives them an opportunity to mix with law students."

Third year students who competed last year generally found the Competition to be a worthwhile experience. "For me, it helped me build confidence," said Pat Curtin, who added "I realized there was no trick to the thing, just a lot of hard work and some courage." Pat, a member of the Moot Court Board, added "After the first night of oral arguments, the rest was much easier." "I was reluctant to do it at first," said Moot Court Board Member Larry Baer, who enjoyed the oral arguments but said "sitting in the library working on a brief is not my idea of fun." He continued, "once you get over the initial nervousness, it's exhilarating, especially the give and take between you and the judge. I was glad I did it in the end." Third year student Sara Hunt added "I would recommend it. It's probably the first opportunity in law school to get a feeling of what litigation might be about." The Competition is beneficial, she added, because "it forces you to stand up in front of a group of people and attempt to be persuasive."

### Letters to the Editor...

## Harassment of Victim Deplored

Cont. from p. 2

understandably) Joanne either gave this man a dirty look, or spit in his face, to which he responded by becoming physically abusive.

Why do we say understandably? Since the sexual assault, a private investigator, by the name of Peter Vito, has been approaching not only Joanne, but some of her current and past friends and acquaintances in an attempt to gather information for the defense in this case. Gathering information includes asking a variety of persons about Joanne's personal life and activities which include any possible sexual and drug-related activities; showing up at friends' doorsteps at odd hours of the day and night, misrepresenting his identity; inquiring into all aspects of Joanne's past; and contacting people whom she has had no contact with for a long time. In short, Joanne's whole life is being investigated, questioned and judged.

But even with the "protection" of the admissibility of evidence rule for sexual assault cases, evidence is being gathered and certainly will be at least obliquely referred to (most probably crassly stated) in court while Joanne is on the witness stand.

The issue here is: in the pursuit of vigorously defending someone, does an attorney have the right, through his or her private investigator, to harass and frighten a victim who has already been the subject of a brutal experience?

Regardless of whether you even believe a rape actually occurred, what right exists to expose someone to such mental abuse?

What is perhaps just as devastating as this investigator's behavior is the response and behavior of others at this law school. Though it is true that many law students have been supportive, several have been heard to dismiss the whole incident with such comments as: "What's she complaining about, she got laid!" And one law professor, who was approached by Joanne for some guidance and advice with regard to the assault by the male law student, offered only the suggestion that she stay out of the building. When she reminded him that she had classes, he advised her to stay out of the library.

Is it surprising then, given all of these events and circumstances, that Joanne feels as though she is again becoming a victim? But this time the victimization is the result of both mis-information, and an administration who prefers to keep its hands clean.

And what about the alleged rapists and male attacker? Do we simply ignore their acts because we are not personally involved? But we are personally involved; and so is everyone else in this law school. Rape is not an isolated act, but is an act of violence; the exaggeration of those roles men and women are socialized into throughout life. What incidents of

rape in effect accomplish, is to deepen mistrust between men and women. Men grow up learning to be the aggressor, and thinking that when women say no, it means yes. Women are given lessons in passivity. Why should we be surprised then, when we find that one in every four women in this country will be raped in her life?

And putting aside the male and female distinctions, Joanne is a human being, one who has been brutally victimized, who will live with these experiences for the rest of her life. Compassion for others is often ignored in legal training; we cannot let that continue.

One of our responsibilities as attorneys is to develop and maintain a particular system of ethics. Is assaulting a victim (or should we say 'tampering with a witness') the ethical act of an aspiring attorney?

Lorraine Koury  
Enid Tanenhaus  
Ellen Sinclair  
Jill Paperno  
Amy Ruth Tobol  
Kathy O'Hara  
Lynda Rowe-Bursztein  
Amy Goldstein  
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Chris Renfro  
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OKAY LINDA, YOU'RE UP NEXT...  
ALL WE NEED IS A BASE HIT!  
... I KNOW IT'S A LITTLE COLD  
BUT IT MIGHT BE EASIER IF YOU  
TOOK OFF ONE OF YOUR COATS AND  
YOUR MITTENS.

JES '82

## Not-so-instant replay Cards Win In Seven

by Lou Roper

The 1982 World Series presented the classic baseball confrontation between speed and power. The St. Louis Cardinals had the speed and the Milwaukee Brewers possessed the lumber (they had 218 home runs in 1982). At press time, power led speed by 3 games to 2 with the Series returning to St. Louis for game six.

Since the *Opinion* rejected travel vouchers submitted so that an ink-stained wretch might cover the action live, your reporter was reduced to witnessing the games on the "boob tube" with the boobs providing the commentary.

Going into the Series, "experts" felt that Milwaukee would be at a disadvantage in close games since the Brewers' ace reliever Rollie Fingers was sidelined with a torn muscle in his pitching arm. Meanwhile, St. Louis manager Whitey Herzog could call on his ace "fireman" Bruce Sutter in the late innings if need be. However, the absence of Fingers may have been telling only in game two.

In that game, Milwaukee led 4-0 early, but the Cards rallied to tie the score on Darrell Porter's opposite-field double off of Don Sutton. With runners on second and third, Brewer manager Harvey Kuenn had to send for Peter Ladd to stand in for Fingers. Ladd just missed on a 3-2 pitch to Lonnie Smith and then walked pinch-hitter Steve Braun on four straight balls to force home the winning run.

However, Ladd returned in game five to save Milwaukee's 6-4 victory and another "understudy," lefthander Bob McClure preserved game four.

Herzog had to use Sutter in game three after his other relievers had nearly blown a big lead. As a result, he couldn't use his big man to stave off the big Brewer rally in the fourth game.

As in previous Series, there have been surprises. The most dramatic was the performance of Willie McGee in game three. McGee, who hit only four home runs in the regular season, belted two (good for 4 RBI) and added two fine catches in center field for good measure. McGee was formerly Yankee property. He was traded in the last off-season for Bob Sykes, former Detroit lefthander, who at last report was player-owner of the Pocatello Beavers of the Pacific Northwest League.

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## Sports brief

# Law Students Play IM Circuit

by Glenn Frank

Though the football strike has dampened most law students' enthusiasm for professional athletics, the law school has been extremely supportive of one sports organization — UB intramurals. "Participation by law students is up considerably," said a spokesman at the UB intramural office. "It may be because the SBA has taken such an active interest in getting the students out and involved."

In the law school softball league, organized and administered by the SBA, ten teams are still fighting for positions in the playoffs. Only one team, as of this writing, was assured of a post season berth. That team, the "Hairy Palms," captained by Bruce Schonberg, had a 5-0 record. Some of the other teams near the top of the standings are the "Tremendoz" with a 4-1 record and who are captained by Rich Wiebe, and the "Team 5," also with a 4-1 record, who are captained by Al Spears. One member of "Team 5" stated, "it's going to be tight down the stretch, but we have the best women in the league (the league is co-ed) so I think our

chances are good."

In intramural football the law school's "Nice People Who Care" are still near the top of their division. After a disappointing loss in their third game 12-6, the NPWC came back to win their next two games 12-0 and 18-0. With two games remaining the NPWC need to win only one more game to clinch a playoff spot. "Unless we fall apart we will make the playoffs," said Lou Algios, captain of this year's team. "I think our defense will carry us."

Beyond the traditional intramural football and baseball leagues, however, other activities designed to get the sporting blood of soon-to-be lawyers flowing, were organized and/or sponsored by students. The first annual law school tennis tournament, organized by Mike McGorry, combined tennis and beer to make what one participant described as a "magnificent event". McGorry said, "I really think everybody had a great time. At dusk there were still people sitting around the keg clutching their rackets." The "Racquetball Ladder" also just introduced to the law school was

organized by Rick Roberts. The "Ladder" scheduled to continue throughout this school year is now headed by John Hart, Kurt Amend, Rick Roberts and Joe Erlich. They are each, however, subject to challenges from the more than forty people participating.

And, of course, what should not be forgotten is that while autumn has not yet turned to winter, applications are now being accepted for basketball, hockey and other cold weather sports. Rosters for intramural teams should be submitted to the Intramural Office in Alumni Hall on the Amherst Campus, and should be accompanied by fifteen dollars in cash. The money is used by the intramural office to insure that teams who sign up, participate. After a season with a limited number of forfeits, the money is returned.

There has also been substantial interest expressed (to the *Opinion*) in starting a squash league or ladder. Anyone interested please place a note to that effect with your name, phone number, and an approximation of your level of ability in box 655.

## INTERNATIONAL LAW SOCIETY presents

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